

**UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF TEXAS  
DALLAS DIVISION**

KATHLEEN D. KENNEY,

Plaintiff,

v.

PIER 1 IMPORTS, INC., ALEXANDER W. SMITH,  
and CHARLES H. TURNER,

Defendants.

Case No. 3:15-cv-02798-D

Honorable Sidney A. Fitzwater

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TOWN OF DAVIE POLICE PENSION PLAN,  
individually and on behalf of all others similarly  
situated,

Plaintiff,

v.

PIER 1 IMPORTS, INC., ALEXANDER W. SMITH,  
and CHARLES H. TURNER,

Defendants.

Case No. 3:15-cv-03415-D

Honorable Sidney A. Fitzwater

**NOTICE OF NON-OPPOSITION  
OF THE PIER 1 INVESTOR  
GROUP TO COMPETING  
MOTION FOR CONSOLIDATION  
OF RELATED ACTIONS,  
APPOINTMENT OF LEAD  
PLAINTIFF, AND APPROVAL OF  
LEAD OF COUNSEL**

Lead Plaintiff movants, Kathleen D. Kenney, James Greenshields, and Janice Su, (collectively, the “Pier 1 Investor Group”) respectfully submit this notice of non-opposition with respect to competing Lead Plaintiff motions.

Based upon a review of the motions and supporting documentation provided by the other movants seeking appointment as Lead Plaintiff, the Pier 1 Investor Group does not possess the “largest financial interest in the relief sought by the class,” as required by the Private Securities Litigation Reform Act of 1995.

By submitting this response in non-opposition to the competing motions, the Pier 1 Investor Group does not waive its right to participate as a plaintiff and/or to recover as a class member in this litigation. Moreover, to the extent there is any issue now or in the future, with respect to the competing movants’ ability to stand as a Lead Plaintiff, or to the extent their loss calculations are not as represented, the Pier 1 Investor Group stands ready, willing, and able to serve as Lead Plaintiff and to have its choice of counsel be Scott+Scott, Attorneys at Law, LLP and Glancy, Prongay & Murray LLP (“Glancy”), as Co-Lead Counsel, and Federman & Sherwood, as Liaison Counsel for the putative Class.

Dated: December 7, 2015

Respectfully submitted,

s/ William Federman  
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**CERTIFICATE OF SERVICE**

I hereby certify that on December 7, 2015, I caused the foregoing to be electronically filed with the Clerk of the Court using the CM/ECF system, which will send notification of such filing to the email addresses denoted on the Electronic Mail Notice List, and I hereby certify that I caused the foregoing document or paper to be mailed via the United States Postal Service to the non-CM/ECF participants indicated on the Manual Notice List.

I certify under penalty of perjury that the foregoing is true and correct. Executed on December 7, 2015.

s/ William Federman  
William B. Federman